

# ARGUMENT MADE BY THE EX-QUEEN TO DROP A SHELL TO PROVE THE MAP

In a little while one of the great mortars behind Diamond Head will be loaded and fired, there will be a stirring reverberation and a vibration which will rattle windows, scare birds and make strange patterns in the dust through the gentle quake ensuing in the immediate vicinity, and a shell will soar out to sea and drop with a splash in some spot where care will be taken that no vessel happens to be at the time.

And this for the purpose of proving the fire-control map of the visible ocean.

As before stated, the sweep of sea controlled from the shore battery behind Diamond Head is criss-crossed,

as it were, with imaginary lines, divided into squares, into any one of which a shell may be dropped by the guns of the battery at the direction of the fire-control by which an enemy's ship would be located, the squares being numbered and the compass directions thoroughly arranged for dropping death where it will do the most harm.

To prove that the mapping of the contiguous ocean is correct the one shell will probably be enough. The objective point in the sea off the island will be chosen and the shell discharged, the point of dropping being exactly determined by survey. If the experimental shell falls where it is expected to fall, firing conditions being perfect, the map is proven correct.

## WAIALAE CLUB TO HAVE A HOME

PROPOSITION TO ERECT A CLUBHOUSE IN HANDS OF COMMITTEE

OF WAIALAE, KAIMUKI AND PALOLO IMPROVEMENT CLUB — PROFESSOR SEDGWICK WORKS UP MOSQUITO CAMPAIGN ENTHUSIASM AT A MEETING OF THE CLUB.

With Emil J. Berndt, president, in the chair, and W. L. Howard acting as secretary, the Waialae, Kaimuki and Palolo Improvement Club held a most interesting meeting, attended by members from every part of the district, at the home of A. Frank Cooke, Palolo heights, yesterday evening.

A proposition for the erection of a clubhouse in which to hold meetings was received enthusiastically and advanced to the stage of reference to a special committee.

Various committees presented reports that showed energetic action all around for the interests of the district. Marston Campbell, Superintendent of Public Works, was reported as ready, when property owners agreed, to have a thorough survey made of the various residence tracts in the club's jurisdiction, whereby street lines will be determined for all time. The committee on roads will take this matter up with Mr. Campbell at once.

Professor Sedgwick, who has lately returned from his commission of establishing sugar experiment stations in Peru, was called on for remarks on the mosquito question. He was listened to with rapt attention as he told of what he personally experienced and observed on his two visits to Colon, a year or two apart. On the first visit it was a perpetual fighting and dodging of mosquitoes, accentuated by dread of yellow fever, on the part of everybody, while on the second visit he found the pest eradicated so completely that even mosquito bars on beds had been abolished. It was all a matter of keeping the ground clean and using oil liberally.

So interested were the members in Prof. Sedgwick's remarks that it was voted to add a mosquito campaign to the club's operations, also to instruct the delegates to the Central Improvement Club meeting tonight to bring the matter before that organization.

## MERCANTILE DIRECTORATE

New officers of the Merchants' Association are: President F. L. Waldron, Vice-President W. F. Dillingham, Secretary E. A. Berndt, Treasurer C. von Hamm and Directors G. W. Smith, E. H. Paris, T. H. Petrie, C. du Roi and G. F. Bush.

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K. YAMAMOTO.  
Wholesale Merchant on Hotel street has received the largest consignment of Japanese goods which he is disposing of at very reasonable prices. Mr. K. Yamamoto is always the first man to import the first crop of goods from Japan, and we can promise the best of treatment from this popular merchant.

Best cup of coffee in the city at New England Bakery.

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**Real Estate**

is advancing rapidly in price. It is a steady growth, and one that is bound to last.

Those who buy before the prices jump will make money.

We have some particularly fine propositions just now; they won't last long.

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**Walk-Over SHOES For Men**

ALL THE NEW SHAPES  
MAINLAND PRICES.

**L.B. Kerr & Co., Ltd**  
ALAKEA STREET.

## ATCHERLEY HEARING

Dr. John Atcherley was brought before Judge Robinson at 2 o'clock this afternoon in charge of Dr. Charles A. Peterson, superintendent of the Insane Asylum, under a writ of habeas corpus. Mrs. Atcherley sat on her husband's right and Dr. Peterson on his left in front of the bailiff's stand at the rear of the courtroom and facing the bench. Attorney J. A. Magoon, counsel for the petitioner, sat at the table for counsel.

While Assistant City Attorney F. W. Milverton was reading the return to the writ, with papers attached, Dr. Atcherley was busy writing in a small notebook.

Mr. Magoon followed the public attorney, moving at first to strike from the return all the references to the hearing before District Magistrate Andrade.

Mr. Milverton asked for the presence of the stenographer and Col. Jones at once came in. The attorney then argued against the motion.

Judge Robinson said that Dr. Peterson had nothing to do with the proceedings leading to commitment by the district magistrate. It was enough for him to have received the order of commitment.

Mr. Milverton laid stress on the fact that the District Court was not a court of record.

The court observed that the proof of commitment was sufficient.

To which Mr. Milverton and City of Insanity could be constitutional.

Attorney Cathcart, who had just come in, replied that if proof of the facts were admissible certainly the allegations were properly made in the complaint.

Judge Robinson thought it would do no harm to leave the allegations in and denied the motion.

Mr. Magoon then objected to the omission of any averment in the return that Dr. Atcherley was insane. It shut him out from showing that Dr. Atcherley was sane.

Mr. Cathcart characterized the contention as nonsense. The court virtually took the same view.

Mr. Magoon went on to denounce the insanity statute of Hawaii made forty-seven years ago as an abortion. Judge Robinson remarked that it escaped criticism from the Code Commission as well as having not been called in question on constitutional grounds all those years.

Mr. Magoon deemed it outrageous that if a man was alleged to have heard voices from a sewer or in a moment of excitement fired a pistol at a house he should forthwith be adjudged insane. "Infamous" was only one of many epithets the attorney hurled at the statute.

Dr. Atcherley's counsel was still arguing as the second edition of The Star was going to press. He was contending that no system that denied an appeal and trial by jury in a case to which Mr. Milverton and City of Insanity could be constitutional.

## DYNAMITE LIFTS TEN THOUSAND

(Associated Press Cable to The Star.)

CARLTON, Texas, January 29.—The State Bank has been dynamited and ten thousand dollars stolen from the vaults, the thieves managing to make good their escape.

## MILLION TO FIGHT FRAUD

WASHINGTON, D. C., January 29.—Secretary of the Interior J. R. Garfield has asked Congress to appropriate a million dollars to find the land frauds.

## ANTI-RACE-TRACK BILL MAY PASS

SACRAMENTO, January 29.—The bill aimed to do away with race track gambling has been unfavorably reported to the Senate. It is believed that the bill will be passed.

SACRAMENTO, January 29.—Assemblyman Drew today introduced a bill which has for its object the prohibition of all aliens owning land in this State. This bill is a substitute measure for that which sought to prohibit only Japanese from becoming land owners.

MESSINA, January 29.—This city and environs continue to be severely shaken by earthquakes at frequent intervals.

MALAGA, January 29.—This region was today disturbed by an earthquake, panic ensuing among the populace. No fatalities are reported.

NEW YORK, January 29.—The bodies of American Consul Cheney and his wife who lost their lives in the Italian earthquake were today escorted from the steamship by a great concourse, thousands of Italians participating in the demonstration.

WASHINGTON, D. C., January 29.—The Senate has passed the omnibus claims bill.

## MANCHURIA HERE, HAS NEW CAPTAIN, GREAT PASSENGER LIST

Although sighted shortly after 8 o'clock this morning it was nearly 11:30 when the big liner Manchuria tied up at the Oceanic dock. The day was made necessary by the very large number of passengers to be passed by the port physicians. Most of

the passengers were for Honolulu—a larger list of first class travellers than has been brought to this port by any steamer in a long while.

The Manchuria brought 173 bags

(Continued on Page Four.)

## DE BOLT SUSTAINED

DECREE IN WILLIAMS ESTATE  
MATTER AFFIRMED—MATTERS  
UPON THE JUDICIARY FILES.

Kahalanaola U. Williams vs. William R. Castle, trustee, an appeal from an order of Circuit Judge De Bolt from an order sustaining a demurrer to a petition for admeasurement of dower brought against the trustee under the will of Joshua R. Williams by the widow of John Williams, one of the testator's sons and beneficiaries under his will, has been decided by an opinion of the Supreme Court written by Chief Justice Hartwell. The decree is affirmed. T. M. Harrison represented the plaintiff and A. L. Castle the defendant. Following is the syllabus of opinion.

"Under a trust to pay income to the testator's widow and children and the survivor of them, and upon the death of any of the children to his or her children; the estate to be divided upon the death of the survivor of the testator's widow and children, the widow of a child dying during the continuance of the trust has no present right of dower from the trust estate."

FROM COURT FILES.

In Robertson vs. Godfrey one of the many garnishees, P. H. Burnette, answers saying he had no money or property of defendant in his possession on the day summons was served on him. Alice Metcalf makes a similar answer. Defendant himself in his capacity of trustee of Thomas Metcalf answering as garnishee also says he had none of defendant's money or property in his possession.

Taka Okamoto sues Hisanousuke Okamoto for divorce, alleging details of most brutal cruelty against him, such as knocking her down with his fists and kicking her while prostrate. She also avers his failure to provide a living for her.

A joinder in demurrer having been filed by defendant in the matter of her plea in bar, the case of Bosile R. Burns vs. Julia H. Afong is now ripe for some proceedings before the court.

PEARL HARBOR RAILWAY.  
The submission of facts mentioned in yesterday's Star by Attorney General Hemenway and Castle & Withington, on the controversy as to whether the Pearl Harbor Tractor Co. is entitled to a charter was argued and submitted in the Supreme Court this morning.

CIRCUIT COURTS.  
Judge Robinson is still hearing the Lazarus will contest.

Judge De Bolt has been waiting for a criminal jury case since Wednesday.

## MAYOR'S JURORS

There are several of Mayor Fern's appointees engaged on juries and the question has been raised, by one interested, as to what will be the situation in the event of a court test deciding that Fern's employees are entitled to the jobs to which he has appointed them and in the meanwhile they have been members of juries bringing in verdicts in certain cases.

Is not the fact that a government employee is on a jury a matter for successful objection and could not a case be re-opened, after the verdict of guilty or otherwise, for the reason that men who had been declared government employees had been on the jury?

There has been much talk of the courts having to decide whether the appointees of the Board of Supervisors, who are now actually engaged in the duties to which they were appointed, or the men appointed by Mayor Fern, are to be upheld in office. Hence the question if Fern's employees are upheld, may not those who are serving on juries be the innocent causes of objections to trials in which they figure?

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Guard the health of your family by keeping at hand a bottle of Chamberlain's Cough Remedy. It has no equal for coughs, colds and croup. For sale by all dealers, Benson, Smith & Co., agents for Hawaii.

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## Liliuokalani Makes Statement Of Her Case

WASHINGTON, D. C., January 17. "Now, I appeal to the American people. Through the press of the country I hope to awaken their conscience to secure for me what is right. For ten years I have uselessly sought just aid of Congress and the government. When the American people know the justice of my claim, they will see that I am no longer delayed in obtaining redress."

Liliuokalani, former Queen of the Hawaiian Islands, now in her seventy-first year, in Washington for the fourth time to press her claim for payment for the crown lands, which the United States hold in her former kingdom, last night thus made her appeal to the American people.

Most impressive and solemn was her reception of the newspaper men in the home of her nephew, the Hawaiian congressional Delegate, in Massachusetts avenue. It was an echo of the formality that her life had always been accustomed to up to the time of the revolution that made Hawaii a Territory of the United States.

When the former queen, who is a remarkable woman for her age, entered the parlor, escorted in courtly fashion by her nephew, her only living relative, the newspaper men arose to greet her. She wore a loosely flowing robe of bronze velvet, trimmed with scarlet satin. It is the Hawaiian court dress, and is called the holoku. At her throat was a cameo brooch, bearing a miniature portrait of her royal ancestor, King Kamehameha II.

An imperial signet ring and a plain gold wedding ring symbolized her former estate as a queen and a wife. She also wore two bracelets of native workmanship. Her abundant, waving hair is very gray, but she hardly looked her 70 years.

TELLS HER STORY.

Her story and her version of the righteousness of her claim for \$250,000 in payment of the lands she lost, and of which the United States government now has possession, follows:

"I have come to Washington again in my declining years to make a personal appeal to Congress and the American people for some compensation for the crown lands of Hawaii, of which I was deprived in 1893.

"The crown lands of Hawaii were wholly separate from the general public lands of the kingdom. All the battleships, instead of two. 'We should have an adequate fleet,' he declares, 'on each side of the continent all the time.'

Senator Perkins would doubtless declare in favor of four battle-ships this year but for the conservatism of the other members of the Naval Affairs Committee. For tactical reasons it behooves Perkins to 'stand in' with the majority of that committee; but Senator Perkins is in favor of keeping one-third of the total naval force of the United States in the Pacific all the time.

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